

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**FIRECLEAN LLC,**

**Plaintiff,**

**v.**

**ANDREW TUOHY**

**and**

**EVERETT BAKER,**

**Defendants.**

**Case No. 1:16-cv-00294 (JCC/MSN)**

**DECLARATION OF ANDREW TUOHY**

I, Andrew Tuohy, declare under penalty of perjury as follows:

1. I am a defendant in the above-captioned action and I submit this declaration in support of the motion to dismiss the Complaint against me for lack of personal jurisdiction and for failure to state a claim. I have personal knowledge of the facts set forth herein and I would be competent to testify to these facts at a hearing or trial in this action.

2. I am a citizen and resident of the State of Arizona, and live in Oro Valley. I am employed in Tucson, Arizona as a hiking guide.

3. I served as a Petty Officer in the Navy, with the specific rate/rank of Hospital Corpsman Second Class. I was honorably discharged from active duty on January 6, 2007.

4. I do not own real estate in Virginia, and I do not have a bank account or other tangible or intangible property in Virginia. I do not regularly conduct business in the State of Virginia, or pay taxes there. I do not employ any persons in Virginia.

5. As best I can recall, I have travelled to Virginia only two times. On those trips, I conducted business in the District of Columbia, but stayed at the home of a friend in Virginia. Neither of those trips were related to the subject matter of this litigation.

6. I am the creator and publisher of the Vuurwapen Blog, [www.vuurwapenblog.com](http://www.vuurwapenblog.com), as well as a related Facebook page and a YouTube video channel where I post content related to the blog.

7. My internet service provider is Comcast, which is based in Philadelphia, Pennsylvania. The Vuurwapen Blog is hosted in Arizona by GoDaddy, Inc., which is based in Scottsdale, Arizona. I do not knowingly use or publish to any servers based in Virginia.

8. Beginning in 2012, FireClean, LLC ("FireClean") solicited me directly, and sent to me a sample of FIREClean oil to use as part of a product review. I began examining FIREClean's effectiveness as a gun oil in 2012.

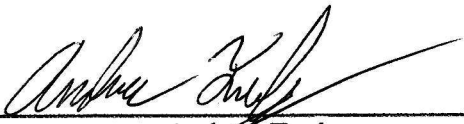
9. In response to persistent controversy within the gun community taking place through publications, social media, and similar channels of public communication regarding whether FIREClean was, in fact, repackaged Crisco vegetable oil, I decided to write an article about FIREClean's likely chemical composition. As part of the research for this article, I obtained an independent evaluation of the chemical properties of FIREClean from a chemistry professor at the University of Arizona who volunteered his services.

10. After receiving the results of the professor's analysis, I shared the results of the professor's test with FireClean via an email message dated September 11, 2015, addressed to Ed Sugg and David Sugg, and I sought a response as to FIREClean's composition that I could include with my article. In the course of several emails exchanged with Ed Sugg that day, Mr. Sugg expressly declined to comment for publication regarding FIREClean's formulation

unless he was shown a copy of the article in advance.

11. Following publication of my initial article about the chemical composition of FIREClean, I decided to explore the topic further. I arranged for two additional rounds of testing, which were performed on FIREClean by volunteers, one at Worcester Polytechnic Institute involving eighteen samples and at least two different test methodologies (Infrared Spectroscopy and Nuclear Magnetic Resonance), and a second conducted by an individual with a Ph.D. in chemistry that involved additional test methodologies (High performance Liquid Chromatography and two variants of Nuclear Magnetic Resonance).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 19<sup>th</sup> day of May, 2016.

  
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Andrew Tuohy